

From: <chilibob@riofarms.com>
To: <agorder@waterboards.ca.gov>
Date: 12/29/2010 10:48 AM
Subject: CCRWQB Request for Public Comments on Draft Agricultural Order dated November 19, 2010

Bob Martin
General Manager
Rio Farms
239 Rio Vista Drive
King City, CA 93930-3516

December 29, 2010

Jeffery Young
Chairman of the Board
Central Coast Regional Water Quality Control Board
895 Aerovista Place, Suite 101
San Luis Obispo, CA 93401-7906

Dear Mr. Young:

Please forgive me. This is my second letter. I overlooked commenting on several important topics. Under the Staff's General Groundwater Protection Requirements, it is mentioned that if we choose to use containment structures such as retention ponds that they must be lined to avoid percolation. Three points here: 1) That's mainly what they were built for, to keep any possible tailwater on our property and not allow it to escape to waters of the State. 2) We catch most of our storm water within these containments. Along with that water comes sediment. How does staff propose we do our annual maintenance of removing the sediment from these ponds? We normally use a wide track bulldozer to push the sediment out and take it back to the fields. We can't do that with an expensive liner in there. 3) Staff is assuming a couple of things here, one that the water entering these ponds is carrying excess nitrates with it, also that the water in these ponds will percolate enough to become a problem. I submit that there is very little science utilized in the assumption that all percolated water will eventually be received into the aquifers carrying the same quality factor as when it was in the pond.

Baseline legacy nitrates are not defined or known. Baseline legacy nitrate loads are necessary prior to measuring possible nitrate loads from farming practices. Further, differing soil types, percolate rates, water table levels, and manner of surface nitrate irrigation application must be considered prior to determining possible nitrate loads due to farming practices.

Another issue I question in Staff's proposal is the use of the phrase "1000 feet to an impaired water body." A detailed explanation of this definition is required. Are we referring to a riparian habitat, or to the actual running water of that site? None of our land slopes in a way to drain into the Salinas River, although we farm along a relatively long stretch of it. Why does staff assume that all farmland adjacent to this or any river is automatically going to drain into it?

Last but not least, I am appalled with the assumption that since our operation farms over 1000 acres that we are considered more suspect to impair waters of the State than a smaller grower. This classification is based on assumptions of size being the determining factor of ability to impair. What possible science could be cited for this reference? Operation size should NOT be used in the tiering methodology. Ag's proposal will allow farmers to approach many of these issues with affordable and attainable methods.

I urge the Board to listen to growers' feedback and suggestions, including mine, and incorporate that feedback into the draft Ag Order. Any future Ag Order must be designed with achievable objectives and must be a transparent and collaborative process that utilizes agricultural stakeholders. Loss of grower cooperation will be counterproductive to improving water quality.

Thank you for considering my views.

Sincerely,

Bob Martin
831-385-6225
General Manager
Rio Farms